

## Message Text

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FM SECSTATE WASHDC

TO AMCONSUL ZURICH IMMEDIATE

INFO AMEMBASSY BERN

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AMEMBASSY VIENNA

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E.O. 11652:N/A

TAGS:CFED (PENN CENTRAL INVESTIGATION), LS, AU

SUBJECT:PENN CENTRAL INVESTIGATION: ASSISTANT US ATTORNEY  
BURT REQUESTS MEETING WITH CONSUL GENERAL

1. MR. C. OLIVER BURT III, ASSISTANT US ATTORNEY, EASTERN DISTRICT OF PENNSYLVANIA, WOULD LIKE TO CONFER WITH CONSUL GENERAL NELSON AT 9:00 A.M., FRIDAY, AUGUST 16, ABOUT FURTHER INVESTIGATORY AND LEGAL ACTIVITIES IN LIECHTENSTEIN IN CONNECTION WITH THE PENN CENTRAL CASE. BURT, WHO IS NOW IN BERLIN, WILL THEN BE COMING FROM FELDKIRCH, AUSTRIA, WHERE HE PLANS TO INTERVIEW HANS PUCHER, AN IMPORTANT US GOVERNMENT WITNESS IN THAT CASE. HE PLANS TO CALL THE CONSULATE GENERAL FROM FELDKIRCH TO CONFIRM THIS APPOINTMENT.

2. MR. BURT IS PRIMARILY INTERESTED IN MR. JOSEPH H. ROSENBAUM'S FORTHCOMING APPEAL HEARING IN THE PRINCELY SUPREME COURT AGAINST THE SURRENDER OF BANK DOCUMENTATION REQUESTED BY THE US GOVERNMENT. HE WOULD LIKE ANSWERS TO THE FOLLOWING QUESTIONS: -

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A. WHAT IS CHARACTER OF THE APPEAL ACTION?

- B. WILL THERE BE AN EVIDENTIARY HEARING  
BEFORE THE PRINCELY COURT?
- C. IF SO, WILL IT BE NECESSARY FOR THE USG  
TO PROVE FACTS BEYOND THE SCOPE OF ITS  
ORIGINAL ROGATORY?
- D. WILL THE USG HAVE TO INTRODUCE NEW EVIDENCE--  
OR PRODUCE WITNESSES IN VADUZ?
- E. WHICH SIDE WILL HAVE THE BURDEN OF PROOF?  
(WILL IT BE NECESSARY FOR THE USG TO  
PROVE THAT THE DOCUMENTS IN QUESTION ARE  
NOT SUBJECT TO SOME TYPE OF PRIVILEGE --  
OR DOES ROSENBAUM HAVE TO PROVE THAT THEY  
ARE?)
- F. WILL THE COURT EXPECT BRIEFS TO BE FILED?  
(IF SO, WHEN?)
- G. MAY THE USG RETAIN A LIECHTENSTEIN LAW  
FIRM AS ROSENBAUM HAS DONE? KISSINGER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
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**Copy:** SINGLE  
**Draft Date:** 14 AUG 1974  
**Decaption Date:** 01 JAN 1960  
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**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** golinofr  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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